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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/890,229	11/27/2001	Peter M. Bramley	B0192/7031	9395
23628 7590 11/03/2004 WOLF GREENFIELD & SACKS, PC FEDERAL RESERVE PLAZA 600 ATLANTIC AVENUE			EXAMINER KALLIS, RUSSELL	
			BOSTON, MA	
			DATE MAILED: 11/03/2004	1

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)
		09/890,229	BRAMLEY ET AL.
Office Action Summary		Examiner	Art Unit
		Russell Kallis	1638
Period fo	The MAILING DATE of this communication ap		h the correspondence address
A SHO THE N - Exter after - If the - If NO - Failur Any n	ORTENED STATUTORY PERIOD FOR REPL MAILING DATE OF THIS COMMUNICATION. Issions of time may be available under the provisions of 37 CFR 1. SIX (6) MONTHS from the mailing date of this communication. period for reply specified above is less than thirty (30) days, a repperiod for reply is specified above, the maximum statutory period to treply within the set or extended period for reply will, by statute eply received by the Office later than three months after the mailing dipatent term adjustment. See 37 CFR 1.704(b).	136(a). In no event, however, may a re ly within the statutory minimum of thirty will apply and will expire SIX (6) MON e, cause the application to become AB.	ply be timely filed (30) days will be considered timely. "HS from the mailing date of this communication. ANDONED (35 U.S.C. § 133).
Status			
2a) <u></u> □	Responsive to communication(s) filed on <u>18 A</u> This action is FINAL . 2b) This Since this application is in condition for alloward closed in accordance with the practice under A	s action is non-final.	
Dispositi	on of Claims	· .	
5) 6) 7)	Claim(s) <u>1-3,7,10,11,14,15,24,25 and 28-34</u> is 4a) Of the above claim(s) is/are withdra Claim(s) is/are allowed. Claim(s) is/are rejected. Claim(s) is/are objected to. Claim(s) <u>1-3,7,10,11,14,15,24,25 and 28-34</u> a	wn from consideration.	
Applicati	on Papers		
10)	The specification is objected to by the Examine The drawing(s) filed on is/are: a) acc Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct The oath or declaration is objected to by the Example 1.	cepted or b) objected to be drawing(s) be held in abeyand the drawing(s) the drawing(s)	ce. See 37 CFR 1.85(a). s) is objected to. See 37 CFR 1.121(d).
Priority u	inder 35 U.S.C. § 119		
a)[Acknowledgment is made of a claim for foreign All b) Some * c) None of: 1. Certified copies of the priority document according to the certified copies of the priority document application from the International Bureatee the attached detailed Office action for a list	ts have been received. ts have been received in Apority documents have been nu (PCT Rule 17.2(a)).	oplication No received in this National Stage
Attachma=	(c)		
2) Notice 3) Inform	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449 or PTO/SB/08) No(s)/Mail Date	Paper No(s	ummary (PTO-413) //Mail Date formal Patent Application (PTO-152)

Application/Control Number: 09/890,229

Art Unit: 1638

DETAILED ACTION

Claims 1-3, 7, 10-11, 14-15, 24-25 and 28-34 originally elected without traverse from Group I are pending. Claims 5-6, 8-9, 12-13 16-23 and 26-27 are cancelled.

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

Claim 25 is directed to polynucleotide sequences encoding 3 independent and distinct polypeptide sequences. Applicant is required to elect a single polypeptide sequence of SEQ ID NO: 1, 2 or 3. This requirement is not to be construed as a requirement for an election of species, since each of the nucleic acid sequences or amino acid sequences recited in alternative form is not a member of a single structurally and functionally related genus, but rather constitutes an independent and patentably distinct invention. Separate searches and considerations would be required for examination of each of the nucleic acid sequences.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Russell Kallis whose telephone number is (571) 272-0798. The examiner can normally be reached on M-F 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amy Nelson can be reached on (571) 272-0804. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Russell Kallis Ph.D. October 27, 2004

ELIZABETH MCELWAIN PRIMARY EXAMINER